

**IN THE UNITED STATES DISTRICT COURT FOR THE  
WESTERN DISTRICT OF OKLAHOMA**

ANDREW CHABALLA, as Next of )  
Kin of LAVERNE SOMERS, )  
Deceased, and ANDREW )  
CHABALLA, as Administrator of the )  
Estate of LAVERNE SOMERS, )

Plaintiffs, )

-vs- )

Case No. CIV-22-772-F

SP HEALTHCARE MANAGEMENT )  
LLC, MIDWEST GERIATRIC )  
MANAGEMENT LLC, and JUDAH )  
BIENSTOCK, )

Defendants. )

**ORDER**

The court is in receipt of Plaintiffs' Notice of (1) Agreed Allocation of Settlement Proceeds Between All Wrongful Death Heirs of Laverne Somers and (2) Withdrawal of [Doc. 48]. Doc. no. 51.

Upon review, the court **DEEMS WITHDRAWN** Plaintiff's (1) Application for Approval of Wrongful Death Settlement; and (2) Request for an Evidentiary Hearing Regarding the Apportionment of Settlement Proceeds Between Each Heir for Their Loss of Companionship Caused by the Death of Laverne Somers, filed July 1, 2024. Doc. no. 48. The in-person evidentiary hearing set for November 1, 2024 at 1:30 p.m. is **STRICKEN**.

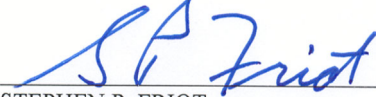
With the previous filing of doc. no. 48 on July 1, 2024, which has now been withdrawn, and based upon the monthly payments of settlement proceeds to be paid

by defendants as set forth in plaintiffs' notice, the administrative closing of this case is **EXTENDED** from July 31, 2024 until January 20, 2025. If the parties have not filed any stipulation or dismissal, or sought any order required to obtain a final determination of these proceedings by January 20, 2025, this action shall, as of January 21, 2025, be deemed dismissed with prejudice.

If any defendant objects to concluding this action as set forth in this order, as contemplated in the notice at doc. no. 51, a written objection, stating the basis for the objection, shall be filed not later than September 3, 2024.

The court retains jurisdiction over the parties and the subject matter for the purpose of enforcement of any settlement agreement by summary process if necessary and appropriate.

IT IS SO ORDERED this 26<sup>th</sup> day of August, 2024.

  
STEPHEN P. FRIOT  
UNITED STATES DISTRICT JUDGE